

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### JANUARY 7, 2019

The Executive Council met in regular session at 10:00 a.m. in Room G09 of the Capitol Building with Governor Kim Reynolds presiding. Secretary Paul Pate (via telephone), Auditor of State Rob Sand, Treasurer of State Michael Fitzgerald and Secretary of Agriculture Michael Naig were present.

Regular Session  
January 7, 2019

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the minutes of the Executive Council meeting held December 17, 2018.

Minutes Approved

The vote:      Ayes:      Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                         Nays:      None

Christie Niehaus, Chief Operating Officer, Department of Administrative Services was present to request the amendment approval of SPOC Insurance Rates for 2019.

Personal  
Appearance

Moved by Secretary Naig and seconded by Treasurer Fitzgerald that the Executive Council approve the request.

The vote:      Ayes:      Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                         Nays:      None

Christie Niehaus, Chief Operating Officer, Department of Administrative Services was present to request the amendment approval of Medicare rates for retirees.

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Executive Council approve the request.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

The Department of Revenue's request to retain special council counsel pursuant to Iowa Code section 13.7 to represent the Department in litigation with Windstream Iowa Telecommunications involving their 2018 central assessment valuation will be revisited at a future Executive Council Meeting.

Special Counsel

Moved by Treasurer Fitzgerald and seconded by Secretary Naig that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Outside Counsel

- A. The Department of Justice, Attorney General's office requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Donald E. Dietz v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa* a workers' compensation case filed by a state employee.

Firm:	Patterson Law Firm, L.L.P.
Attorney:	Ryan Clark 505 5 <sup>th</sup> Avenue Suite 729 Des Moines, IA 50309
Rate:	\$140.00 Per Hour

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the requests as follows:

Approved  
Emergency  
Allocations

- A. Department of Public Safety requested a supplemental emergency allocation in the amount \$919.45. This increased the total allocation to \$4,328.53. On June 30, 2018 State Patrol Vehicle #125 was damaged by a deer on Highway 18. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. Department of Public Safety requested a supplemental emergency allocation in the amount \$559.00. This increased the total allocation to \$2,761.20. On August 1, 2018 State Patrol Vehicle #32 was damaged by a deer on County Road F24. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- C. Department of Public Safety requested a supplemental emergency allocation in the amount \$299.49. This increased the total allocation to \$6,605.15. On October 2, 2018 State Patrol Vehicle #34 was damaged by a deer on Highway 28 in Warren County. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- D. Department of Public Safety requested a supplemental emergency allocation in the amount \$573.50. This increased the total allocation to \$6,213.45. On October 18, 2018 State Patrol Vehicle #278 was damaged by a deer on Highway 30 in Linn County. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- E. Department of Public Safety requested a supplemental emergency allocation in the amount of \$359.70. This increased the total allocation to \$3,217.20. On October 26, 2018 State Patrol Vehicle #198 was damaged by a deer on Highway 1 in Johnson County. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- F. Department of Corrections – Newton Correctional Facility requested an emergency allocation and reimbursement in the amount of \$24,283.05. On June 30, 2018 the main electrical transformer was damaged due to lightning. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

Moved by Secretary Naig and seconded by Treasurer Fitzgerald that the Council approve the following cost items:

Approved Payment  
of Cost Items

- A. Iowa Communications Network.....\$6,507.98  
On February 6, 2018 ICN sustained cable damage due to erosion on 220th Street in Ringgold County. Request was to cover repair costs. This represents full and final payment, \$4,074.89 will be reverted and this allocation closed.
- B. Iowa Communications Network.....\$10,531.49  
On March 21, 2018 due to a washout a cable was exposed along Highway 92 at Rock Creek in Keokuk County. Request was to cover repair costs. This represents full and final payment, \$477.40 will be reverted and this allocation closed.
- C. Iowa Communications Network.....\$20,566.91  
On October 1, 2018 ICN sustained cable damage due to erosion along Highway 93 in Fayette County. Request was to cover repair costs. This represents full and final payment, \$13,449.50 will be reverted and this allocation closed.
- D. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$1,892.40  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees
- E. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$50.40  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees
- F. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$88.20  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees.

G. Simmons Perrine Moyer Bergman PLC.....\$300.00  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52402  
Tobacco Settlement Authority

The vote:	Ayes:	Governor Reynolds
		Secretary Pate
		Auditor Sand
		Treasurer Fitzgerald
		Secretary Naig
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the meeting adjourn.

Meeting adjourned

Respectfully submitted,

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Victoria Newton  
Executive Secretary